

March 14, 2024

VIA ECF

Hon. Vernon S. Broderick
United States District Judge
United States District Court
Southern District of New York
40 Foley Square, Courtroom 518
New York, New York 10007

**Re: Melissa Cooper v. Mass Appeal Media Inc., et al.
Civil Action No. 1:23-cv-09115-VSB**

Dear Judge Broderick:

We represent Mass Appeal Media Inc., (“Mass Appeal”) Peter Bittenbender and Jenya Meggs (“Defendants”) in the above-referenced matter. We submit this letter jointly with Plaintiff’s counsel, hereinafter the (“Parties”) regarding the Court’s Order of Automatic Referral to Mediation (Dok. No. 18).

The Parties have conferred and respectfully request to bypass mediation and proceed with discovery. The Parties’ feel that at this preliminary stage, mediation will not be fruitful and wish to proceed with the exchange of paper discovery and depositions. The Parties remain open to the possibility of returning to mediation at the close of discovery.

We thank the Court for its time and attention to this matter.

Respectfully submitted,

JACKSON LEWIS P.C.

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cc: Counsel of Record via ECF